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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/523,476

07/25/2005

Jurgen Range

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06/25/2008

AKERMAN SENTERFITT

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WEST PALM BEACH, FL 33402-3188

EXAMINER

FRIEDHOFFER, MICHAEL A

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/523,476	Applicant(s) RANGE, JURGEN	
	Examiner Michael A. Friedhofer	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 and 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-8, 12, 14, 15, 17-23, 25, 26, 28, 31-33, and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Norris et al.

Norris et al discloses in the figures a domestic electrical appliance including at least one control device 10 with at least one display device associated with a light source 44 formed by an LED for providing visual information to the user. The at least one control device 10 including a covering material 30 which for a standard material thickness is substantially opaque and in an area provided for the display device has at least one transillumination area 32 in which the material thickness of the covering material is so reduced compared with the standard material thickness that the transillumination area can be transilluminated by the light of the light sources. The light source is positioned at the back of the control device facing the transillumination area. The transillumination area of the control device is produced by injection molding. The standard material thickness is at least 2 mm and the thickness in the transillumination area is between approximately .3 mm and approximately .5 mm. The user-facing front surface of the device is closed and substantially smooth in the vicinity of the display device. Visible markings are providing on a face of the

transillumination area and can be formed by multiple segments. The transillumination area includes additional light-varying or light-conducting devices or light guides 42 which may have concentrators, deflectors, lenses, etc. The light guide is fixed in a non-detachable manner with the control device close to or directly at the transillumination area. The control device is a push button in which the contacts may be considered sensor elements such that they can be considered to at least zonally surround the transillumination area. The control devices form a panel fixed to the domestic appliance such that the covering material is the panel material and for control purposes there are further actuating devices. The control or operation of the appliance is determined by the direction and/or extent of the movement of the control device. The light source may be considered to at least partly project into the control device. As for the sensor devices being capacitive sensor, this is a matter of engineering design choice, in which the switch closing whether resistive, magnetic, capacitive, or contacts, would not alter the switch operation, structure of the covering, or purpose of the control.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris et al in view of Parker et al.

Norris et al discloses all of the claimed limitations with the exception of the macroscopic surface structuring in the transillumination area.

Parker et al teaches a transillumination area having a macroscopic surface 48 formed by a plurality of grooves and raised portions for scattering the light of the light source.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Parker et al to Norris et al to providing a macroscopic surface formed by a plurality of grooves and raised portions within the transillumination area because this is for scattering the light from the light source providing a more evenly distributed light throughout the transillumination area.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norris et al in view of Demeo.

Norris et al discloses all of the claimed limitations with the exception of the devices being colored.

Demeo teaches the use of various methods of light distribution including light scattering, deflectors, and the use of color and colored lights.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Demeo to Norris et al to utilize color as part of the display because this is for the purpose of providing another method of differentiating between the various control devices in the panel.

6. Claims 1, 12, 16, 24, 27, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liao et al in view of Norris et al.

Liao et al discloses a control device formed by a rotary switch including a plurality of light pipes 10; light sources 34; light pipe and rotatable operating rod 58; and control knob 50. The end of the control knob is illuminated via the light pipe. The light sources are located outside of the control device and light is conducted via the light pipes to the control knob.

Liao et al does not disclose the specific structure of the knob as being formed with the transillumination area being formed by the knob with a thickness less than that of the rest of the knob such that illumination is allowed to be emitted.

Norris et al discloses in the figures a domestic electrical appliance including at least one control device 10 with at least one display device associated with a light source 44 formed by an LED for providing visual information to the user. The at least one control device 10 including a covering material 30 which for a standard material thickness is substantially opaque and in an area provided for the display device has at least one transillumination area 32 in which the material thickness of the covering material is so reduced compared with the standard material thickness that the transillumination area can be transilluminated by the light of the light sources. The light source is positioned at the back of the control device facing the transillumination area. The transillumination area of the control device is produced by injection molding. The standard material thickness is at least 2 mm and the thickness in the transillumination area is between approximately .3 mm and approximately .5 mm. The user-facing front surface of the device is closed and substantially smooth in the vicinity of the display device. Visible markings are

providing on a face of the transillumination area and can be formed by multiple segments. The transillumination area includes additional light-varying or light-conducting devices or light guides 42 which may have concentrators, deflectors, lenses, etc. The light guide is fixed in a non-detachable manner with the control device close to or directly at the transillumination area. The control device is a push button in which the contacts may be considered sensor elements such that they can be considered to at least zonally surround the transillumination area. The control devices form a panel fixed to the domestic appliance such that the covering material is the panel material and for control purposes there are further actuating devices. The control or operation of the appliance is determined by the direction and/or extent of the movement of the control device. The light source may be considered to at least partly project into the control device.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Norris et al to Liao et al to form the knob by thinning the area forming the transillumination area of the knob relative to the rest of the knob for allowing light to pass because this is for the purpose of providing evenly distributed light through the knob while utilizing a minimum number of parts and maintaining a minimum of manufacturing steps since the thinned area may be made at the time of molding. As for the material of the knob being ABS plastic, this is a matter of engineering design choice based on the materials available to the manufacturer.

7. Claims 1, 19, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinhans et al in view of Norris et al.

Kleinhans et al discloses a control for an appliance having at least one control device with a transillumination area through which light shines from LED 17. The control device is a capacitive sensing device with no moving parts.

Kleinhans et al does not disclose the transillumination area as being formed utilizing a thinning of material at that location.

Norris et al discloses in the figures a domestic electrical appliance including at least one control device 10 with at least one display device associated with a light source 44 formed by an LED for providing visual information to the user. The at least one control device 10 including a covering material 30 which for a standard material thickness is substantially opaque and in an area provided for the display device has at least one transillumination area 32 in which the material thickness of the covering material is so reduced compared with the standard material thickness that the transillumination area can be transilluminated by the light of the light sources. The light source is positioned at the back of the control device facing the transillumination area. The transillumination area of the control device is produced by injection molding. The standard material thickness is at least 2 mm and the thickness in the transillumination area is between approximately .3 mm and approximately .5 mm. The user-facing front surface of the device is closed and substantially smooth in the vicinity of the display device. Visible markings are

providing on a face of the transillumination area and can be formed by multiple segments. The transillumination area includes additional light-varying or light-conducting devices or light guides 42 which may have concentrators, deflectors, lenses, etc. The light guide is fixed in a non-detachable manner with the control device close to or directly at the transillumination area. The control device is a push button in which the contacts may be considered sensor elements such that they can be considered to at least zonally surround the transillumination area. The control devices form a panel fixed to the domestic appliance such that the covering material is the panel material and for control purposes there are further actuating devices. The control or operation of the appliance is determined by the direction and/or extent of the movement of the control device. The light source may be considered to at least partly project into the control device.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Norris et al to Kleinhans et al to utilize a thinned area for the transillumination area because this is for the purpose of continuing to provide illumination while utilizing materials that may be less expensive.

Response to Arguments

8. Applicant's arguments filed March 17, 2008 have been fully considered but they are not persuasive. The arguments are directed to whether the references teach a thinned area for transillumination. While the references may teach apertures for the thinned area, the references are still applicable. There is nothing in the claimed

limitations requiring that material must still be present in the thinned area and that an aperture would not meet the requirements.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2832

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael A. Friedhofer
Primary Examiner
Art Unit 2832

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